

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. ) 3:14-CR-021-LRH-(VPC)  
 )  
RAFAEL NAVARRO-GARCIA, )  
 )  
Defendant. )

**PRELIMINARY ORDER OF FORFEITURE**

This Court finds that on September 8, 2014, defendant RAFAEL NAVARRO-GARCIA pled guilty to Count One of a One-Count Indictment charging him with Felon in Possession of a Firearm in violation of Title 18, United States Code, Section 922(g)(1). Indictment, ECF No. 1; Change of Plea, ECF No. 23; Plea Agreement, ECF No. 24.

This Court finds defendant RAFAEL NAVARRO-GARCIA agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Indictment. Indictment, ECF No. 1; Change of Plea, ECF No. 23; Plea Agreement, ECF No. 24.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Indictment and the offense to which defendant RAFAEL NAVARRO-GARCIA pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c):

1 a Jimenez Arms JA-Nine model, 9mm caliber semi-automatic handgun bearing  
2 serial number 087512 and any and all ammunition  
3 (all of which constitutes "property").

4 This Court finds the United States of America is now entitled to, and should, reduce the  
5 aforementioned property to the possession of the United States of America.

6 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
7 United States of America should seize the aforementioned property.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
9 RAFAEL NAVARRO-GARCIA in the aforementioned property is forfeited and is vested in the  
10 United States of America and shall be safely held by the United States of America until further order  
11 of the Court.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
13 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
14 website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state the  
15 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the  
16 name and contact information for the government attorney to be served with the petition, pursuant to  
17 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity  
19 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate  
20 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the  
21 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and  
22 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's  
23 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's  
24 petition and the relief sought.

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
26 with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South


1 Virginia Street, 3rd Floor, Reno, NV 89501, no later than thirty (30) days after the notice is sent or, if  
2 direct notice was not sent, no later than sixty (60) days after the first day of the publication on the  
3 official internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov).

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
5 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
6 following address at the time of filing:

7 Greg Addington  
8 Assistant United States Attorney  
9 100 West Liberty Street, Suite 600  
10 Reno, NV 89501

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
12 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
13 following publication of notice of seizure and intent to administratively forfeit the above-described  
14 property.

15 DATED this 9th day of September, 2014.

16   
17 LARRY R. HICKS  
18 UNITED STATES DISTRICT JUDGE  
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